



\$175

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/770,123 Confirmation No. : 7253
First Named Inventor : Corinna SUNDERMANN
Filed : February 3, 2004
TC/A.U. : 1625
Examiner : Charanjit Aulakh
Docket No. : 029310.53175US
Customer No. : 23911
Title : Salts of Substituted 1,2,3,4-Tetrahydroquinoline-2-Carboxylic Acid Compounds

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

☐ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☒ 2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

12/02/2005 JADD01 00000117 10770123

☐ a Statement under 37 C.F.R. § 1.97(e) or

180.00 OP

☒ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ 3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

III. Submission of Non-English Language Documents

☐ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

☒ The relevance of documents listed on the PTO 1449 as AF-AK to the subject matter of the present invention are provided in the specification of the above-identified application.

☒ Corresponding foreign or international report citing the documents as AA-AK, indicating the degree of relevance found by the foreign office is submitted.

☐ English language family member publication(s) of document(s) _____ is/are noted on Form PTO-1449.

☒ English language abstract is submitted for document listed on the PTO 1449 as AD.

☐ English translation(s) of the foreign language document(s) _____ is/are submitted herewith.

☐ Applicant submits the following explanations:
_____.

IV. Continuations/Divisionals/PCT National Stage Applications

☐ Documents _____ were of record in parent application Serial No. _____, filed _____, from which this application claims benefit. As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously submitted to or cited by the United States Patent and Trademark Office in the afore-mentioned parent application.

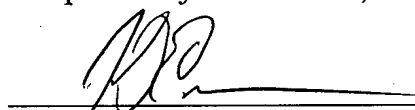
☐ Copies of document(s) listed on the attached form PTO-1449 have already been provided by the International Searching Authority, therefore, duplicate copies are not attached hereto.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 029310.53175US, for the fee set forth in 37 C.F.R. § 1.17(p).

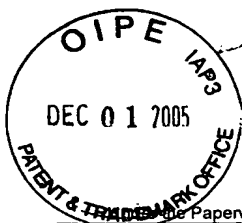
Respectfully submitted,

December 1, 2005



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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	10/770,123
		Filing Date	February 3, 2004
		First Named Inventor	Corinna SUNDERMANN
		Art Unit	1625
		Examiner Name	Charanjit Aulakh
Sheet 1 of 2	Attorney Docket Number	029310.53175US	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US- 4,898,854	02-06-1990	Alan J. Hutchison	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	AB	WO 98/34111	08-06-1998	Trega Biosciences, Inc.		
	AC	WO 99/64411	12-16-1999	Glaxo Wellcome S.P.A.		
	AD	WO 01/58875	08-16-2001	Gruenenthal GmbH		AB
	AE	WO 98/34115	08-06-1998	Trega Biosciences, Inc.		
	AF	EP 0386839	01-15-1997	Merck Sharp & Dohme Ltd.		
	AG	WO 97/12879	04-10-1997	BASF Aktiengesellschaft		
	AH	WO 98/07704	02-26-1998	Glaxo Wellcome S.P.A.		
	AI	WO 98/42673	10-01-1998	Glaxo Wellcome S.P.A.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AJ	ROBERT W. CARLING ET AL., "2-Carboxytetrahydroquinolines. Conformational and Stereochemical Requirements for Antagonism of the Glycine Site on the NMDA Receptor", Journal of Medicinal Chemistry, 1992, pp. 1942-1953, Vol. 35, American Chemical Society	

Examiner Signature	Date Considered
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Application Number	10/770,123		
		Filing Date	February 3, 2004		
		First Named Inventor	Corinna SUNDERMANN		
		Art Unit	1625		
		Examiner Name	Charanjit Aulakh		
Sheet	2	of	2	Attorney Docket Number	029310.53175US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AK	PAUL D. LEESON ET AL., "4-Amido-2-Carboxytetrahydroquinolines. Structure-Activity Relationships for Antagonism at the Glycine Site of the NMDA Receptor", Journal of Medicinal Chemistry, 1992, pp. 1954-1968, Vol. 35, American Chemical Society	
	AL	Copy of corresponding International Preliminary Examination Report	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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